

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ORAL DEXTER HARRIS,

Petitioner,

v.

Civil Action No.
9:03-CV-882
(LEK) (RFT)

THOMAS RIDGE, Secretary, Department of
Homeland Security; MICHAEL J. GARCIA,
Assistant Secretary (Designee), Bureau of Immigration
and Customs Enforcement; EDWARD J. MCELROY,
Interim New York City Director, Bureau of Immigration
and Customs Enforcement; DEPARTMENT OF
HOMELAND SECURITY; BUREAU OF IMMIGRATION
AND CUSTOMS ENFORCEMENT,

Respondents.

ORDER

WHEREAS, on May 11, 2005, the President signed into law the "Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005," Pub. L. No. 109-13, 119 Stat. 231, and Division B thereof is referred to as the "REAL ID Act," and

WHEREAS, pursuant to the REAL ID Act § 106(a), the exclusive means of review of an administrative order of removal, deportation, or exclusion is a petition for review to the appropriate court of appeals, and

WHEREAS, pursuant to the REAL ID Act § 106(c), the District Court "shall transfer" all cases filed before May 11, 2005, "or the part of the case that challenges the order of removal, deportation, or exclusion" to the appropriate court of appeals, and

WHEREAS, petitioner challenges an administrative order of removal which was the result of immigration proceedings completed within this Circuit, and

WHEREAS, the petition was filed before May 11, 2005,

IT IS ORDERED that the instant petition is hereby transferred to the Second Circuit Court of Appeals and to the extent that the District Court has entered a stay of removal, said stay remains in place until further notice from the Court of Appeals.



HONORABLE FREDERICK J. SCULLIN, JR.
CHIEF U.S. DISTRICT COURT JUDGE

Dated: June 8, 2005